

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

JAMES HULCE on behalf of himself and others
similarly situated,

Case No.: 2020-CV-775

Plaintiff,

v.

LUSTRE-CAL CORPORATION,

Defendant.

NOTICE OF SUPPLEMENTAL AUTHORITY

In further support of its Brief regarding the Application of *Amerifactors* and *Ryerson* (ECF No. 27) and its Response Brief regarding the Application of *Amerifactors* and *Ryerson* (ECF No. 31) Defendant Lustre-Cal Corporation calls the attention to *Jeffrey Katz Chiropractic, Inc. v. Diamond Respiratory Care, Inc.*, Civil Action No. 20-cv-04108-CRB, 2021 U.S. Dist. LEXIS 236314, *12-13 (N.D.Cal. Dec. 9, 2021). There, the court held:

The complaint in this case seeks the remedy for a viable TCPA claim—precisely the relief foreclosed by *Amerifactors*. And the *Amerifactors* decision is clearly final: it is not tentative and it determines the rights and obligations under the TCPA.

Id. at 2021 U.S. Dist. LEXIS 236314, *12-13. A true and correct copy of that decision is attached to this notice.

Dated this 15th day of December, 2021.

/s/ John P. Ryan

John P. Ryan

Attorneys for Defendant LUSTRE-CAL
CORPORATION

HINSHAW & CULBERTSON LLP

151 N. Franklin Street, Suite 2500

Chicago, IL 60606

Phone No. 312-704-3000

Fax No. 312-704-3001

E-mail Address: jryan@hinshawlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2021, a copy of the foregoing **NOTICE OF SUPPLEMENTAL AUTHORITY** was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ John P. Ryan

John P. Ryan
151 N. Franklin St – Ste 2500
Chicago, IL 60606
Tel: 312/704-3000